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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,387	02/06/2001	Wilson Wai Toy	EIMC-018	4513
7590	08/17/2004		EXAMINER	
David B. Ritchie Thelein Reid & Priest LLP P. O. Box 640640 San Jose, CA 95164				ABRAMS, NEIL
		ART UNIT	PAPER NUMBER	2839

DATE MAILED: 08/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/778,387	TOY <i>OK</i>
	Examiner Neil Abrams	Art Unit 2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 4-5-2004

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-31 is/are pending in the application.

4a) Of the above claim(s) 18-31 is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-17 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____

Non-elected claims 18-31 should be cancelled in next response.

Figs. 1, 2, must be labeled prior art.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claims 1, 15, "electrical connector" in the cover and mating connector on the VED must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

No cover connector and VED connector or VED are seen in figs. 3, 4, 5, which are directed to the elected invention.

Abstract objected to as unclear; line 6 after "a" – electrical connector on a – should be added. Line 6, 7 should read – guide elements are mounted on the enclosure on opposite sides of the cover, line 9 after track ~~the~~ ^{-- + to} guide the cover as it is lifted from the enclosure --- should be added.

Lines 10, 11 should be rewritten to more clearly state the use of the lock mechanism. Numerals should be added to improve disclosure.

Drawings objected to, just how the claims 3-17 device cover etc to be used is not depicted and can not be clearly understood for reasons noted above.

A new fig. is seen to be necessary to overcome above objections and to show cover/VED relationship. Such fig. could be like that of Drake, fig. 1 and Schematic in part to avoid new matter. New fig. must be listed in figs. 7, 8, 9, etc.

Fig. 7C VED with bayonet pin should be schematically shown above part 713.

Spec. page 18, lines 11-17 are unclear and numerals used are not seen in the figs..

Fig. 2, prior art, is unclear, where is the cover 10, the cover electrical connector the VED connector, entire fig. is confusing.

Claims 1-17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claims are based on non-enabling disclosure for reasons noted above. *with respect to figs.*

Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Bellek* Gordin alone or in view of *Gordin*.¹

Gordin fig. 1, tube 14 together with connector 24 is reads as a VED. Also shown is enclosure 11 and cover 28 having top and sidewall with electrical connector 26 and a hinge for aligning cover 28 to the VED and supporting the cover in open position. Claim 16 met by features 26, 24. Claim 17 reads on the hinge and proper alignment of cover 28 to wall near leadline 20. Should issues arise, also obvious to use hinge means of Bellek type. This would provide for cover to be biased to closed position and held in open position. Should matter be at issue, also obvious to use vacuum electron based device for lamp 14, as is typical.

Jones and Berntz show the other covers with electrical connectors.

For Bentz, note VED 24, 16.

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Any inquiry concerning this communication should be directed to Neil Abrams at telephone number (571)272-2089.

Abrams/ds

08/10/04



NEIL ABRAMS
EXAMINER
ART UNIT 322